

THE HONORABLE BRIAN A. TSUCHIDA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER J. HADNAGY, an
individual; and SOCIAL-ENGINEER,
LLC, a Pennsylvania limited liability
company,

Plaintiffs,

v.

JEFF MOSS, an individual; DEF CON
COMMUNICATIONS, INC., a Washington
corporation; and DOES 1-10; and ROE
ENTITIES 1-10, inclusive,

Defendants.

No. 2:23-cv-01932-BAT

**DECLARATION OF MATT
MERTENS IN SUPPORT
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

Noted For Consideration: March 21,
2025

1 I, Matt Mertens, declare and state as follows:

2 1. I am an attorney at Perkins Coie LLP, and I serve as counsel for
3 Defendant Def Con Communications, Inc. (“Def Con”) in the above-entitled action. I
4 submit this declaration in support of Def Con’s Motion for Summary Judgment.

5 2. The information contained in this declaration is true and correct to the
6 best of my knowledge, and I am of majority age and competent to testify about the
7 matters set forth herein.

8 3. Attached hereto as **Exhibit 1** is a true and correct copy of DEF CON
9 Conference Transparency Report marked as Defense Exhibit 9 at the deposition of
10 Neil Wyler.

11 4. Attached hereto as **Exhibit 2** is a true and correct copy of a DEF CON
12 Legal Update “Transparency Update” marked as Defense Exhibit 10 at the deposition
13 of Neil Wyler.

14 5. Attached hereto as **Exhibit 3** is a true and correct copy of a document
15 produced in discovery with Bates number SE_000922-3.

16 6. Attached hereto as **Exhibit 4** is a true and correct copy of a true and
17 correct screenshot of the following URL, which I visited on February 18, 2025:
18 <https://www.innocentlivesfoundation.org/our-team/chris-hadnagy/>.”

19 7. Attached hereto as **Exhibit 5** is a true and correct copy of an excerpt
20 from the deposition of Maxie Reynolds conducted September 27, 2024.

21 8. Attached hereto as **Exhibit 6** is a true and correct copy of a document
22 produced in discovery with Bates number SE_000404-9.

23 9. Attached hereto as **Exhibit 7** is a true and correct copy of a document
24 produced in discovery with Bates number DENIS00000385-86. Defendants have
25 redacted the individuals’ names whose appearance Hadnagy is insulting.
26

1 10. Attached hereto as **Exhibit 8** is a true and correct copy of a document
2 produced in discovery with Bates number SE_17170.

3 11. Attached hereto as **Exhibit 9** is a true and correct copy of a document
4 produced in discovery with Bates number DENIS00000321–23.

5 12. Attached hereto as **Exhibit 10** is a true and correct copy of an excerpt
6 from the deposition of Christopher Hadnagy conducted January 28, 2025.

7 13. Attached hereto as **Exhibit 11** is a true and correct copy of a document
8 produced in discovery with Bates number SE_001519.

9 14. Attached hereto as **Exhibit 12** is a true and correct copy of a document
10 marked as Defense Exhibit 3 at the deposition of Maxie Reynolds.

11 15. Attached hereto as **Exhibit 13** is a true and correct copy of an excerpt
12 from the deposition of Neil Wyler conducted November 14, 2024.

13 16. Attached hereto as **Exhibit 14** is a true and correct copy of a document
14 marked as Defendants Exhibit 3 at the deposition of Neil Wyler.

15 17. Attached hereto as **Exhibit 15** is a true and correct copy of a document
16 produced in discovery with Bates number WYLER_0178-179.

17 18. Attached hereto as **Exhibit 16** is a true and correct copy of a document
18 produced in discovery with Bates number SE_001520.

19 19. Attached hereto as **Exhibit 17** is a true and correct copy of a document
20 produced in discovery with Bates number DEFCON00000470

21 20. Attached hereto as **Exhibit 18** is a true and correct copy of. an excerpt
22 from the deposition of Jeff Moss conducted July 31, 2024.

23 21. Attached hereto as **Exhibit 19** is a true and correct copy of a document
24 produced in discovery with Bates number DEFCON00000463

25 22. Attached hereto as **Exhibit 20** is a true and correct copy of an excerpt
26 from the deposition of Michelle Fincher conducted October 14, 2024.

23. Attached hereto as **Exhibit 21** is a true and correct copy of Plaintiffs' June 20, 2024, responses to Defendants' discovery requests.

24. Attached hereto as **Exhibit 22** is a true and correct copy of an excerpt from the deposition of Cat Murdock conducted October 24, 2024.

25. Attached hereto as **Exhibit 23** is a true and correct copy of an excerpt from the deposition of Jessica Levine conducted September 19, 2024.

26. Attached hereto as **Exhibit 24** is a true and correct copy of a document produced in discovery with Bates number MURDOCK00000045-6.

27. Attached hereto as **Exhibit 25** is a true and correct copy of a document produced in discovery with Bates number SE_62671.

28. Attached hereto as **Exhibit 26** is a true and correct copy of a document marked as Defense Exhibit 4 at the deposition of Cat Murdock.

29. Attached hereto as **Exhibit 27** is a true and correct copy of a document produced in discovery with Bates number DENIS00000049.

30. Attached hereto as **Exhibit 28** is a true and correct copy of a document produced in discovery with Bates number DENIS000000226.

31. Attached hereto as **Exhibit 29** is a true and correct copy of a document produced in discovery with Bates number DENIS000000290.

32. Attached hereto as **Exhibit 30** is a true and correct copy of a document produced in discovery with Bates number NCDOL00000094-96.

33. Attached hereto as **Exhibit 31** is a true and correct copy of a document produced in discovery with Bates number DEFCON000000149-52.

34. Attached hereto as **Exhibit 32** is a true and correct copy of a document produced in discovery with Bates number DEFCON000000133-34.

35. Attached hereto as **Exhibit 33** is a true and correct copy of a document produced in discovery with Bates number SE_000526.

1 36. Attached hereto as **Exhibit 34** is a true and correct copy of a document
2 produced in discovery with Bates number SE_015066.

3 37. Attached hereto as **Exhibit 35** is a true and correct copy of a document
4 produced in discovery with Bates number SE_015434-47.

5 38. Attached hereto as **Exhibit 36** is a true and correct copy of a document
6 produced in discovery with Bates number DENIS00000107.

7 39. Attached hereto as **Exhibit 37** is a true and correct copy of a document
8 produced in discovery with Bates number DENIS00000143.

9 40. Attached hereto as **Exhibit 38** is a true and correct copy of a document
10 produced in discovery with Bates number SE_001126.

11 41. Attached hereto as **Exhibit 39** is a true and correct copy of a document
12 produced in discovery with Bates number SE_015470.

13 42. Attached hereto as **Exhibit 40** is a true and correct copy of an excerpt
14 from the deposition of Samantha Gamble conducted January 15, 2025.

15 43. Attached hereto as **Exhibit 41** is a true and correct copy of a document
16 marked as Defendants Exhibit 1 at the deposition of Samantha Gamble.

17 44. Attached hereto as **Exhibit 42** is a true and correct copy of a document
18 produced in discovery with Bates number SE_000426.

19 45. Attached hereto as **Exhibit 43** is a true and correct copy of a document
20 produced in discovery with Bates number SE_17966.

21 46. Attached hereto as **Exhibit 44** is a true and correct copy of a document
22 produced in discovery with Bates number SE_30867.

23 47. Attached hereto as **Exhibit 45** is a true and correct copy of a document
24 produced in discovery with Bates number SE_21768.

25 48. Attached hereto as **Exhibit 46** is a true and correct copy of a document
26 produced in discovery with Bates number SE_18515.

1 49. Attached hereto as **Exhibit 47** is a true and correct copy of a document
2 produced in discovery with Bates number DENIS00000339.

3 50. Attached hereto as **Exhibit 48** is a true and correct copy of an excerpt
4 from the deposition of Alethe Denis conducted September 24, 2024. Defendants have
5 redacted the individuals' names whose appearance Mr. Hadnagy is insulting.

6 51. Attached hereto as **Exhibit 49** is a true and correct copy of a document
7 marked as Defense Exhibit 19 at the deposition of Alethe Denis.

8 52. Attached hereto as **Exhibit 50** is a true and correct copy of a document
9 produced in discovery with Bates number SE_54307.

10 53. Attached hereto as **Exhibit 51** is a true and correct copy of a document
11 marked as Defense Exhibit 18 at the deposition of Alethe Denis.

12 54. Attached hereto as **Exhibit 52** is a true and correct copy of a document
13 marked as Defense Exhibit 23 at the deposition of Alethe Denis.

14 55. Attached hereto as **Exhibit 53** is a true and correct copy of a document
15 marked as Defense Exhibit 24 at the deposition of Alethe Denis..

16 56. Attached hereto as **Exhibit 54** is a true and correct copy of a document
17 produced in discovery with Bates number SE_20143-47.

18 57. Attached hereto as **Exhibit 55** is a true and correct copy of a document
19 produced in discovery with Bates number SE_28851.

20 58. Attached hereto as **Exhibit 56** is a true and correct copy of a document
21 produced in discovery with Bates number SE_48478.

22 59. Attached hereto as **Exhibit 57** is a true and correct copy of a document
23 produced in discovery with Bates number SE_50401-35.

24 60. Attached hereto as **Exhibit 58** is a true and correct copy of a document
25 produced in discovery with Bates number SE_67966.
26

1 61. Attached hereto as **Exhibit 59** is a true and correct copy of a document
2 produced in discovery with Bates number SE_21610.

3 I declare under penalty of perjury under the laws of the State of Washington
4 that the foregoing is true and correct.

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6 Dated: February 21, 2025

7 s/Matt Mertens

8 Matt Mertens
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